

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>JOSEPH HENRY</b>	<b>§</b>	<b>PETITIONER</b>
	<b>§</b>	
<b>v.</b>	<b>§ CIVIL ACTION NO. 1:09CV149-LG-RHW</b>	
	<b>§</b>	
<b>ED HARGETT</b>	<b>§</b>	<b>RESPONDENT</b>

**JUDGMENT**

This matter having come on to be heard on the Proposed Findings of Fact and Recommendation [13] entered by United States Magistrate Judge Robert H. Walker, the Court, after a full review and consideration of the Proposed Findings of Fact and Recommendation, the pleadings on file, and the relevant legal authority, finds that in accord with the Order entered herewith,

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Proposed Findings of Fact and Recommendation [13] entered by United States Magistrate Judge Robert H. Walker on September 23, 2009, is **ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED AND ADJUDGED** that Ed Hargett's Motion to Dismiss [7] is **GRANTED**. Joseph Henry's Petition is **DISMISSED**.

**SO ORDERED AND ADJUDGED** this the 7<sup>th</sup> day of October, 2009.

s/ Louis Guirola, Jr.  
LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE